

# **Draft Environmental Assessment Securing Public Hunting Access in Perpetuity on the Graveley Ranch Conservation Easements**

April 2019



**Region 2  
3201 Spurgin Road, Missoula, MT 59804**

# DRAFT ENVIRONMENTAL ASSESSMENT Checklist

## **PART I. PROPOSED ACTION DESCRIPTION**

### **1. Type of proposed state action**

Montana Fish, Wildlife and Parks (FWP) proposes to accept assignment (delegation) of the “right of public hunting access” component of two conservation easements (CE) located northwest of Garrison in Powell County to be held by Five Valleys Land Trust (FVLT). The Graveley CE and the Warm Springs Creek CE would be the result of a multistage project whereby the Graveley family would use funds generated from the sale of a CE on their current 5,167-acre ranch to purchase adjacent property (3,110 acres) currently owned by The Conservation Fund (TCF). A CE would then be placed on the adjacent property (Warm Springs Creek) to create a combined conservation footprint of 8,277 acres. Because the properties would be managed as a single ranch for the foreseeable future, the two CEs are referred to as the Graveley Ranch CEs for the remainder of this draft environmental assessment (EA).

FVLT would purchase the Graveley Ranch CEs to permanently protect the property’s wildlife habitat and conservation values by preventing subdivision but keeping the land in private ownership and management. The CE properties have diverse wildlife habitat including native grasslands, mixed-conifer forest, juniper-sagebrush scrublands, streams and associated riparian areas, and aspen stands. The CEs on this property would protect important big-game winter range, a variety of habitats for nongame wildlife species including Montana Species of Concern (SOC<sup>1</sup>), and public hunting opportunities. FVLT is seeking to assign the management of the public hunting access portion of the CEs to FWP. The Upper Clark Fork River Basin Remediation and Restoration Advisory Council voted to recommend complete funding from the Montana Department of Justice Natural Resource Damage Program (NRDP) to complete this proposed project. No FWP funds would be used to acquire the proposed CEs; therefore, the proposed action is for FWP to accept the assignment of the right of public hunting access, in perpetuity, as further set forth in the CEs to be held by FVLT.

### **2. Agency authority for the proposed action**

FWP has the authority under state law (§ 87-1-201, Montana Code Annotated (MCA)) to protect, enhance, and regulate the use of Montana’s fish and wildlife resources for public benefit now and in the future, and to acquire land for this purpose (§ 87-1-209, MCA).

### **3. Name, address and phone number of project sponsor, if other than the agency:**

None

### **4. Anticipated Schedule**

**Public Comment Period:** April 8 through May 7, 2019

**Public Hearing:** April 23, 2019 (6:30 pm at Community Center in Drummond)

**Decision Notice Published:** mid-May 2019

**Reviewed by Montana Fish and Wildlife Commission:** June 13, 2019

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<sup>1</sup> A native animal (or plant) breeding in Montana and considered to be “at risk” due to declining population trends, threats to its habitats, and/or restricted distribution. Montana’s SOC listing highlights species in decline and encourages conservation efforts to reverse population declines and prevent the need for future listing as Threatened or Endangered Species under the Federal Endangered Species Act. Further information available at <http://fwp.mt.gov/fishAndWildlife/species/speciesOfConcern/> Accessed 4 April 2019.

## 5. Locations affected by proposed action

### Project Location:

The proposed Graveley Ranch CEs are located within FWP Administrative Region 2 in the foothills of the Garnet Range in Powell County, approximately 3 miles NW of Garrison, Montana (Figure 1). Access to the properties is via Interstate 90 at the Phosphate exit, then north along Brock Creek and Warm Springs Creek roads (Figure 2). The properties include all or part of the following sections:

Township 9 North, Range 10 West; Sections 2, 3, 4, 10, 11, 12, 14

Township 10 North, Range 10 West; Sections 15, 22, 25, 26, 27, 28, 33, 34, 35

## 6. Estimated project size

Land Type	Affected Area (estimated in acres)	Total (acres)
<b>(a) Developed:</b>		
Residential	0	
Industrial	0	<b>0</b>
<b>(b) Open Space/ Woodlands/ Recreation</b>		<b>0</b>
<b>(c) Wetlands/ Riparian Areas</b>		<b>226</b>
<b>(d) Floodplain</b>		<b>0</b>
<b>(e) Productive:</b>		
Irrigated Cropland	22	
Dry Cropland	332	
Forestry	1,538	
Rangeland	4,442	
Other	1,717	<b>8,051</b>
<b>Total</b>		<b>8,277</b>

## 7. Permits, Funding and Overlapping Jurisdiction

**(a) Permits:** none required

**(b) Funding:**  
Natural Resource Damage Program (NRDP) \$3,460,000 (approx.)

**(c) Other Overlapping Jurisdictional Responsibilities:**

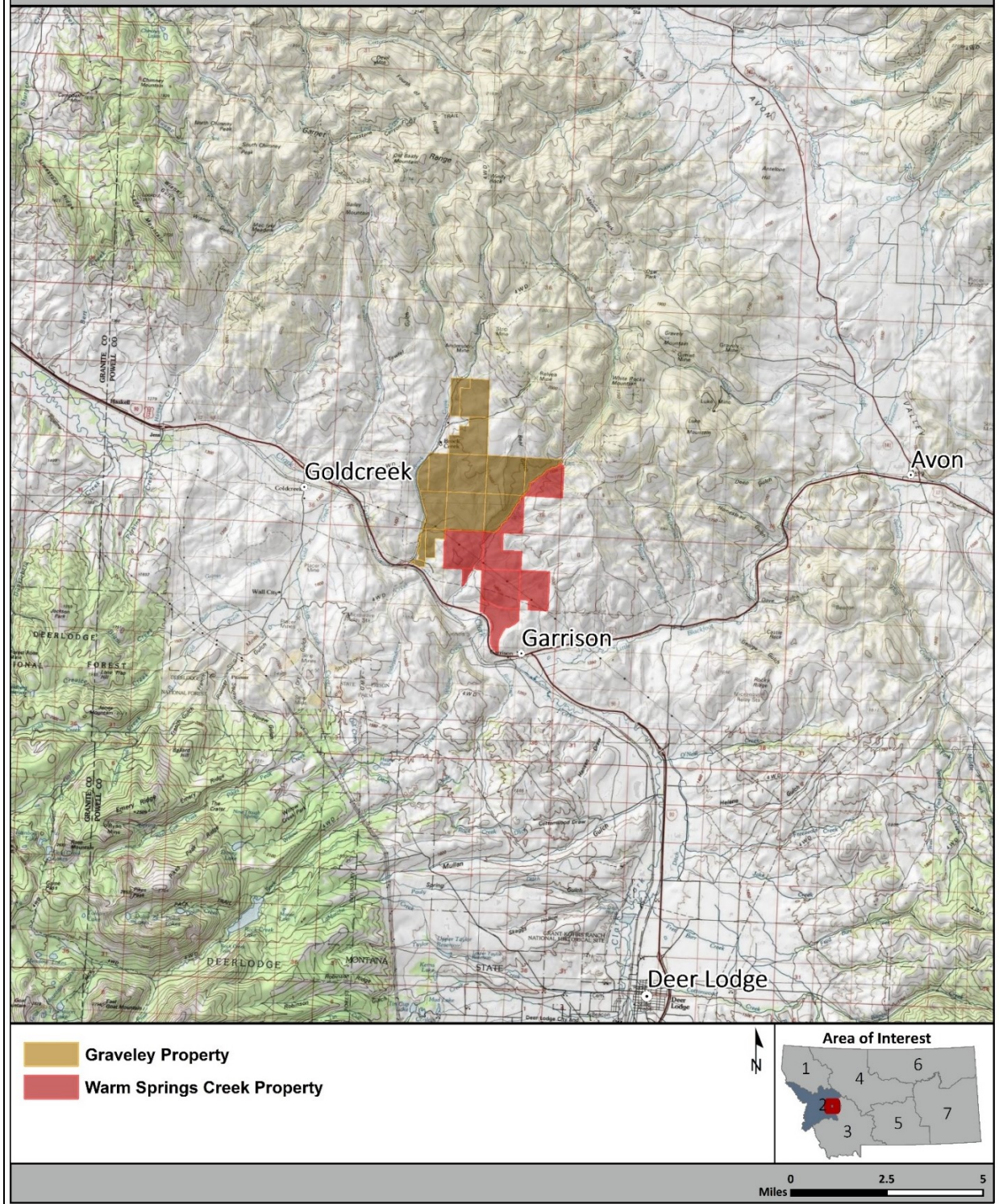
Agency Name	Type of Responsibility
Upper Clark Fork Basin Trustee Restoration Council	funding approval
Montana Fish & Wildlife Commission	project approval



# Graveley Property and Warm Springs Creek Property

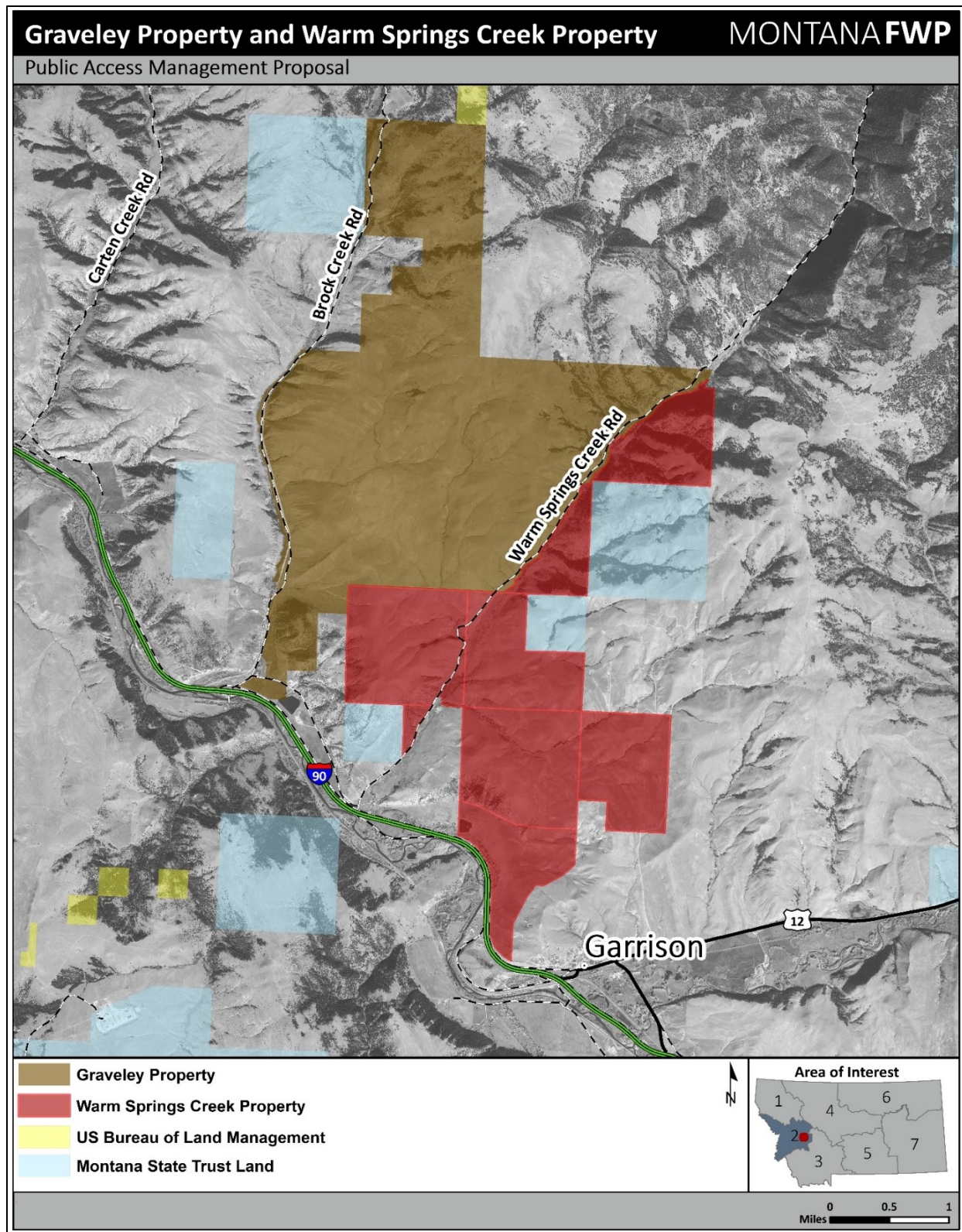
MONTANA FWP

## Public Access Management Proposal



**Figure 1.** Landscape context for the proposed Graveley Ranch Conservation Easements project.





**Figure 2.** Draft hunting access map for the proposed Graveley Ranch Conservation Easements project including adjacent public land ownership.

## 8. Narrative summary of the proposed action

FWP proposes to secure public hunting access in perpetuity on 8,277 acres of grassland, riparian, scrubland, and forest habitat near Garrison in Powell County, Montana. Currently, 5,167 acres are owned by the Graveley family, and an additional 3,110 acres are currently owned by The Conservation Fund (TCF; Warm Springs Creek) would be purchased by the Graveley Family following purchase of a conservation easement on their current property by FVLT. The proposed grant of public hunting access would not require any purchasing costs from FWP. If selected and implemented, this proposed action would bind FWP to implement, review, and update a *Public Hunting Access Plan* (Appendix A) for the subject properties annually, or up to every five years, in cooperation with the landowner(s).

Following guidance in the CEs and *Public Hunting Access Plan*, FWP would be responsible for verifying that the landowner offers the opportunity for at least 400 hunter days shared between the Graveley CE and the Warm Springs Creek CE of fair and equitable, free, public hunting access each year into the future (excluding the landowner's family and employees). For context, such opportunity would be achieved by the continuation of past hunting opportunities that the Graveley family have offered under FWP's Block Management Program (Appendix A). FWP would provide an enforcement presence consistent with its presence on other CEs, Block Management Areas, Fishing Access Sites, and similar points of public access on or surrounded by private lands.

The Natural Resource Damage Program (NRDP) is working with TCF and FVLT to protect the above-referenced 8,277 acres by first purchasing a perpetual CE (to be held by FVLT) on the current Graveley property representing 5,167 acres of the proposed total. TCF has purchased the adjacent 3,110 acres (from NCP Bayou II, Inc.) and would hold that property until the Graveleys can purchase the property using funds generated from the sale of a CE to FVLT on the 5,167 acres. The Graveleys would then sell another CE on the 3,110-acre property (Warm Springs Creek CE). The final Graveley Ranch CEs project would protect 8,277 acres and provide hunting access opportunities on the full acreage in perpetuity. As part of this process, NRDP and FVLT would work with FWP to secure a public hunting access provision as part of the FVLT CEs. FWP proposes to accept FVLT's assignment of the easement provision pertaining to public hunting access because FWP is a qualified organization best equipped to manage, monitor, and enforce the public hunting access terms in perpetuity, consistent with the overall intent of the FVLT CEs. FWP has extensive experience in acquiring and managing public access provisions in many perpetual CEs that are held in the public trust by FWP. FVLT would retain sole and full responsibility as the grantee for monitoring and enforcing compliance with all other terms of the CEs beyond the public hunting access component.

The subject properties are located in the foothills of the Garnet Range in the Clark Fork River Basin of western Montana. The Graveley Ranch CEs contain native montane grasslands, mixed juniper and sagebrush scrublands, a diversity of riparian habitats, and a mosaic of mixed-conifer forests and wooded draws that are connected to larger reaches of wildlife habitat in the Garnet Range. The properties open access to sections of land owned by the Montana Department of Natural Resources and Conservation (DNRC). The Graveley Ranch CEs have some flood-irrigated pasture located along Warm Springs Creek on the east side of the property. Overall, the properties provide open space and diverse habitat for fish and wildlife.

The Graveley Ranch CE lands are located within a Tier II Priority Area in the NRDP's Terrestrial Restoration Plan (2016 Update<sup>2</sup>) and would support the goals of the NRDP by protecting important wildlife habitat and securing public hunting access in perpetuity. The properties are also located within the Upper Clark Fork-East Deer Lodge Tier II Terrestrial Focus Area for FWP's *State Wildlife Action Plan* (SWAP, 2015<sup>3</sup>). Brock Creek and Warm Springs Creek are located within the Brock Creek Tier II Aquatic Focal Area as identified by the SWAP. The NRDP and FWP recognize this landscape as high priority for conservation efforts.

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<sup>2</sup> Available at <https://media.dojmt.gov/wp-content/uploads/Final-2015-Update-Combined.pdf> Accessed 7 April 2019.

<sup>3</sup> Available at <http://fwp.mt.gov/fishAndWildlife/conservationInAction/swap2015Plan.html> Accessed 4 April 2019.

The higher elevations of the Graveley Ranch CEs are mixed-conifer forests that transition to juniper-sagebrush scrubland habitats in lower elevations. The southern portions of the properties are composed of montane grasslands interspersed with wooded draws comprised of a mix of mesic and xeric shrub and tree species. The creek bottoms are mostly dominated by alder, with dense stands of willow in some locations. There is a healthy population of beavers in Brock Creek and Warm Springs Creek that provide habitat diversity for both the aquatic and terrestrial portions of the stream and associated floodplain. Overall, the mosaic of habitat types on the Graveley Ranch CEs provide resources for a wide range of species including game and furbearer species, as well as a variety of nongame species including Species of Concern as designated by the SWAP. The grasslands provide winter range to support mule deer, elk, and pronghorn antelope, and scattered aspen stands, wooded draws, and riparian areas support moose and white-tailed deer. Aspen stands on the property support high biodiversity of nongame species, and the mix of aspen, juniper, and sagebrush in portions of the higher elevations represents a uniquely diverse habitat in this landscape. The streams and associated riparian areas naturally support a high diversity of species, and Brock Creek contains native Westslope Cutthroat Trout, another Species of Concern in Montana.

The NRDP and FVLT have worked jointly with FWP to secure and develop a public hunting access plan for public hunting access on the Graveley Ranch CEs (Appendix A). The intent of the CEs is to protect these properties' wildlife habitat and public recreation values while keeping the properties in private ownership and management. The Graveley Ranch properties would remain part of a working ranch and retain agricultural and cultural values in Powell County. Protecting these properties would conserve the diverse fish and wildlife habitats and provide public hunting access to these resources.

## **9. Description and analysis of reasonable alternatives**

### **Alternative A: No Action**

Under the No Action Alternative, FWP would not accept assignment of the rights for public hunting access on the Graveley Ranch from FVLT's CEs. This would be expected to result in a failed CE project (i.e., the CEs would not be purchased and finalized, due to lack of a public hunting access component in the CEs as required by NRDP, an essential funding institution), in which case the opportunity to secure perpetual public hunting access could be lost.

### **Alternative B: FWP acceptance of an assignment of public hunting access rights in perpetuity from FVLT on the Graveley Ranch conservation easements**

FWP would accept assignment of responsibility for the rights of public hunting access on the Graveley Ranch CEs from FVLT. FWP would be bound to implement, review, and update a *Public Hunting Access Plan* (Appendix A) for the subject properties annually, or up to every five years, in cooperation with the landowner(s). Following guidance in the CEs and *Public Hunting Access Plan*, FWP would be responsible for verifying that the landowner offers the opportunity for at least 400 hunter days shared between the Graveley CE and the Warm Springs Creek CE of fair and equitable, free, public hunting access each year into the future, excluding the landowner's family and employees. FWP would provide an enforcement presence consistent with its presence on other CEs, Block Management Areas, Fishing Access Sites, and similar points of public access on or surrounded by private lands.

## **10. Evaluation and listing of mitigation, stipulation, or other control measures enforceable by the agency or another government agency**

FVLT would oversee and enforce the terms of the CEs except for the assigned right of public hunting access, which would be the responsibility of FWP. FVLT would retain a right of revocation of this right to FWP.

## **PART II. ENVIRONMENTAL REVIEW CHECKLIST**

**Evaluation of the impacts of the Proposed Action including secondary and cumulative impacts on the Physical and Human Environment.**

### **A. PHYSICAL ENVIRONMENT**

<b>1. <u>LAND RESOURCES</u></b>  Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Soil instability or changes in geologic substructure?		X				
b. Disruption, displacement, erosion, compaction, moisture loss, or over-covering of soil which would reduce productivity or fertility?		X				
c. Destruction, covering or modification of any unique geologic or physical features?		X				
d. Changes in siltation, deposition or erosion patterns that may modify the channel of a river or stream or the bed or shore of a lake?		X				
e. Exposure of people or property to earthquakes, landslides, ground failure, or other natural hazard?		X				
f. Other (list)		X				

FWP's proposed acquisition of the public hunting access right from the Graveley Ranch CEs held by FVLT would have no impact on land resources.

<b>2. <u>AIR</u></b>  Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Emission of air pollutants or deterioration of ambient air quality? (also see 13 (c))		X				
b. Creation of objectionable odors?		X				
c. Alteration of air movement, moisture, or temperature patterns or any change in climate, either locally or regionally?		X				
d. Adverse effects on vegetation, including crops, due to increased emissions of pollutants?		X				
e. For P-R/D-J projects, will the project result in any discharge which will conflict with federal or state air quality regs? (Also see 2a)		X				
f. Other		X				

The ambient air quality would not change if FWP acquired the public hunting access rights because motorized access would continue to be limited to established roads, with walk-in access for hunting.



3. <b><u>WATER</u></b>  Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
<input type="checkbox"/> a. Discharge into surface water or any alteration of surface water quality including but not limited to temperature, dissolved oxygen or turbidity?		X				
b. Changes in drainage patterns or the rate and amount of surface runoff?		X				
c. Alteration of the course or magnitude of flood water or other flows?		X				
d. Changes in the amount of surface water in any water body or creation of a new water body?		X				
e. Exposure of people or property to water related hazards such as flooding?		X				
f. Changes in the quality of groundwater?		X				
g. Changes in the quantity of groundwater?		X				
h. Increase in risk of contamination of surface or groundwater?		X				
i. Effects on any existing water right or reservation?		X				
j. Effects on other water users as a result of any alteration in surface or groundwater quality?		X				
k. Effects on other users as a result of any alteration in surface or groundwater quantity?		X				
l. <u>For P-R/D-J</u> , will the project affect a designated floodplain? (Also see 3c)		X				
m. <u>For P-R/D-J</u> , will the project result in any discharge that will affect federal or state water quality regulations? (Also see 3a)		X				
n. Other:						

FWP's proposal to acquire assignment of the public hunting access rights for the Graveley Ranch CEs would have no effect on existing quality, quantity, or flooding of natural surface waters or groundwater. The designated access points to the properties used by hunters would not adversely affect water resources.

4. <b>VEGETATION</b>  Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Changes in the diversity, productivity or abundance of plant species (including trees, shrubs, grass, crops, and aquatic plants)?		X				
b. Alteration of a plant community?		X				
c. Adverse effects on any unique, rare, threatened, or endangered species?		X				
d. Reduction in acreage or productivity of any agricultural land?		X				
e. Establishment or spread of noxious weeds?			X			4e
f. For P-R/D-J, will the project affect wetlands, or prime and unique farmland?		X				
g. Other:		X				

4e. The proposed acquisition of the public hunting access right may increase public use at some access points which could exacerbate the spread of noxious weeds, but overall the impact would be minimal because public hunting has been allowed on most of the properties for >20 years.

5. <b>FISH / WILDLIFE</b>  Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Deterioration of critical fish or wildlife habitat?		X				
b. Changes in the diversity or abundance of game animals or bird species?		X				
c. Changes in the diversity or abundance of nongame species?		X				
d. Introduction of new species into an area?		X				
e. Creation of a barrier to the migration or movement of animals?		X				
f. Adverse effects on any unique, rare, threatened, or endangered species?		X				
g. Increase in conditions that stress wildlife populations or limit abundance (including harassment, legal or illegal harvest or other human activity)?			X			5g
h. For P-R/D-J, will the project be performed in any area in which T&E species are present, and will the project affect any T&E species or their habitat? (Also see 5f)		X				
i. <input type="checkbox"/> For P-R/D-J, will the project introduce or export any species not presently or historically occurring in the receiving location? (Also see 5d)		X				
j. Other:		X				

5g. The proposed public hunting access is expected to increase hunting pressure on some portions of the properties that can stress wildlife populations. However, this impact is not expected to negatively affect game populations overall in the area because public hunting has been allowed on most of the properties for >20 years.



## B. HUMAN ENVIRONMENT

6. <u>NOISE &amp; ELECTRICAL EFFECTS</u> Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Increases in existing noise levels?		X				
b. Exposure of people to serve or nuisance noise levels?		X				
c. Creation of electrostatic or electromagnetic effects that could be detrimental to human health or property?		X				
d. Interference with radio or television reception and operation?		X				
e. Other:		X				

The proposed acquisition would not increase noise above levels currently experienced in the area. Access to the Graveley Ranch CEs would remain walk-in for hunting access and motorized use would be restricted to roads leading to designated access points.

7. <u>LAND USE</u> Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Alteration of or interference with the productivity or profitability of the existing land use of an area?		X				
b. Conflicted with a designated natural area or area of unusual scientific or educational importance?		X				
c. Conflict with any existing land use whose presence would constrain or potentially prohibit the proposed action?		X				
d. Adverse effects on or relocation of residences?		X				
e. Other:		X				

The acquisition of the public hunting access rights by FWP from FVLT may introduce higher levels of hunting pressure on the Warm Springs Creek CE compared to historic use. The properties would be accessible by the public for hunting in perpetuity and current land uses by the landowner would continue.

8. <b><u>RISK / HEALTH HAZARDS</u></b>	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
Will the proposed action result in:						
a. Risk of an explosion or release of hazardous substances (including, but not limited to oil, pesticides, chemicals, or radiation) in the event of an accident or other forms of disruption?		X				
b. Affect an existing emergency response or emergency evacuation plan or create a need for a new plan?		X				
c. Creation of any human health hazard or potential hazard?		X				
d. For P-R/D-J, will any chemical toxicants be used? (Also see 8a)		X				
e. Other:		X				

While the proposed acquisition of hunting access rights on the Graveley Ranch CEs may increase the probability of hunting-related injuries due to increased use of the new portions of the property, there is no reason to conclude the risk would increase with this acquisition.

9. <b><u>COMMUNITY IMPACT</u></b>	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
Will the proposed action result in:						
a. Alteration of the location, distribution, density, or growth rate of the human population of an area?		X				
b. Alteration of the social structure of a community?		X				
c. Alteration of the level or distribution of employment or community or personal income?		X				
d. Changes in industrial or commercial activity?		X				
e. Increased traffic hazards or effects on existing transportation facilities or patterns of movement of people and goods?		X				
f. Other:		X				

The acquisition of the public hunting access right would have no effect on local communities, increase traffic hazards, or alter the distribution of the human population in the area.

<b>10. <u>PUBLIC SERVICES/TAXES/UTILITIES</u></b>	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
Will the proposed action result in:						
a. Will the proposed action have an effect upon or result in a need for new or altered governmental services in any of the following areas: fire or police protection, schools, parks/recreational facilities, roads or other public maintenance, water supply, sewer or septic systems, solid waste disposal, health, or other governmental services? If any, specify:		X				
b. Will the proposed action have an effect upon the local or state tax base and revenues?		X				
c. Will the proposed action result in a need for new facilities or substantial alterations of any of the following utilities: electric power, natural gas, other fuel supply or distribution systems, or communications?		X				
d. Will the proposed action result in increased used of any energy source?		X				
e. Define projected revenue sources		X				
f. Define projected maintenance costs.		Not applicable				
g. Other:		Not applicable				

The proposed right acquisition would have no impact on public services or utilities.

<b>11. <u>AESTHETICS / RECREATION</u></b>	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
Will the proposed action result in:						
a. Alteration of any scenic vista or creation of an aesthetically offensive site or effect that is open to public view?		X				
b. Alteration of the aesthetic character of a community or neighborhood?		X				
c. Alteration of the quality or quantity of recreational/tourism opportunities and settings? (Attach Tourism Report)			X			11c
d. For P-R/D-J, will any designated or proposed wild or scenic rivers, trails or wilderness areas be impacted? (Also see 11a, 11c)		X				
e. Other:		X				

11c. The proposed acquisition of the public hunting access rights will increase the accessibility and use of the Graveley Ranch CEs and adjacent public lands by hunters.



<b>12. CULTURAL / HISTORICAL RESOURCES</b>	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
Will the proposed action result in:						
a. Destruction or alteration of any site, structure or object of prehistoric historic, or paleontological importance?		X				
b. Physical change that would affect unique cultural values?		X				
c. Effects on existing religious or sacred uses of a site or area?		X				
d. For P-R/D-J, will the project affect historic or cultural resources? Attach SHPO letter of clearance. (Also see 12.a)		X				
e. Other:		X				

FWP anticipates there would be no impact to cultural or historic resources if the acquisition were approved and hunting access is maintained on the properties and adjacent public lands. FWP's jurisdiction does not include groundbreaking or ground-disturbing activities.

## SIGNIFICANCE CRITERIA

13. SUMMARY EVALUATION OF SIGNIFICANCE  Will the proposed action, considered as a whole:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Have impacts that are individually limited, but cumulatively considerable? (A project or program may result in impacts on two or more separate resources which create a significant effect when considered together or in total.)		X				13a
b. Involve potential risks or adverse effects which are uncertain but extremely hazardous if they were to occur?		X				
c. Potentially conflict with the substantive requirements of any local, state, or federal law, regulation, standard or formal plan?		X				
d. Establish a precedent or likelihood that future actions with significant environmental impacts will be proposed?		X				
e. Generate substantial debate or controversy about the nature of the impacts that would be created?		X				13e
f. For P-R/D-J, is the project expected to have organized opposition or generate substantial public controversy? (Also see 13e)		X				
g. For P-R/D-J, list any federal or state permits required.		X				

13a. No secondary or cumulative impacts are anticipated if FWP were to acquire the public hunting access rights for the Graveley Ranch CEs from FVLT.

13e. No public controversy is expected to be generated by the proposed acquisition.

### **PART III. NARRATIVE EVALUATION AND COMMENT**

The proposed acquisition would allow FWP to protect public hunting access in perpetuity on the Graveley Ranch CEs and through the properties to adjacent public lands for hunting activities.

### **PART IV. PUBLIC PARTICIPATION**

#### **1. Public involvement**

The public would be notified in the following manners about the opportunity to comment on this current EA, the proposed action, and alternative:

- Legal notices would be published twice each in each of these newspapers: *Anaconda Leader*, *Independent Record* (Helena), *Missoulian* (Missoula), *Montana Standard* (Butte), and *Silver State Post* (Deer Lodge).
- Public notice would be posted on FWP's webpage: <http://fwp.mt.gov> ("News," then "Public Notices"). The Draft EA would also be available on this webpage, along with the opportunity to submit comments online.
- Copies would be available at the FWP Region 2 Headquarters in Missoula and the FWP State Headquarters in Helena.
- A news release would be prepared and distributed to a standard list of media outlets interested in FWP Region 2 issues; this news release would also be posted on FWP's website <http://fwp.mt.gov> ("News," then "News Releases"). This news release would also be posted on FWP Region 2's website <http://fwp.mt.gov/regions/r2/>.
- Direct mailing or email notification would be made to adjacent landowners and other interested parties (individuals, groups, agencies) to ensure their knowledge of the proposed project.
- A **public hearing** to explain the project, answer questions and take public comment will be held in Drummond on April 23, 2019 at 6:30 p.m. at the Drummond Community Center (54 East Broad Street).

Copies of this draft EA may be obtained by mail from Region 2 FWP, 3201 Spurgin Rd., Missoula 59804; by phoning 406-542-5540; by emailing [shrose@mt.gov](mailto:shrose@mt.gov); or by viewing FWP's Internet website <http://fwp.mt.gov> ("Public Notices," beginning June 12, 2018).

This level of public notice and participation is appropriate for a project of this scope with no significant physical or human impacts and only minor impacts that can be mitigated.

#### **2. Duration of comment period**

The public comment period will extend for thirty (30) days beginning April 8, 2019. Comments must be received by FWP no later than May 7, 2019.

Comments may be made online on the EA's webpage, mailed to the FWP address below, or emailed to Sharon Rose at [shrose@mt.gov](mailto:shrose@mt.gov) :

Region 2 FWP  
Attn: Graveley CE  
3201 Spurgin Rd.  
Missoula, MT 59804



## **PART V. EA PREPARATION**

- 1. Based on the significance criteria evaluated in this EA, is an EIS required?** No

**If an EIS is not required, explain why the EA is the appropriate level of analysis for this proposed action.**

No, an EIS is not required. Based on an evaluation of the primary, secondary, and cumulative impacts to the physical and human environment, no significant impacts from the proposed acquisition were identified. In determining the significance of the impacts of the proposed project, FWP assessed the severity, duration, geographic extent, and frequency of the impact, the probability that the impact would occur, or reasonable assurance that the impact would not occur. FWP assessed the importance to the state and to society of the environmental resource or value affected; any precedent that would be set as a result of an impact of the proposed action that would commit FWP to future actions; and potential conflicts with local, federal, or state laws. As this EA revealed no significant impacts from the proposed actions, an EA is the appropriate level of review and an EIS is not required.

- 2. Persons responsible for preparing the EA**  
Torrey Ritter, FWP Nongame Biologist, Missoula, MT
- 3. List of agencies or offices consulted during preparation of the EA**  
Natural Resource Damage Program, Helena, MT  
Montana Fish, Wildlife & Parks:  
    Lands, Helena, MT  
    Wildlife, Helena, MT  
    Access, Missoula, MT

## GRAVELEY RANCH & WARM SPRINGS CREEK CONSERVATION EASEMENTS PUBLIC ACCESS PLAN

Antelope/Deer/Elk Hunting District: 291

Hunting Access Dates: September 1, 2019 – December 1, 2019

### GENERAL INFORMATION

The proposed conservation easements on the Graveley Ranch and Warm Springs Creek Conservation Easements would include perpetual public hunting access for a minimum of 400 hunter days if both properties are managed collectively. If the two properties were to be managed separately the opportunity for a minimum of 400 hunter days would exist on the Graveley Ranch and 200 hunter days on the Warm Springs Creek property.

The Graveley Ranch is currently enrolled & the Warm Springs Creek property is proposed to be enrolled in the *Warm Springs Block Management Area (BMA)*, located in Powell County near Garrison and Avon. Hunting on 28,895 acre BMA is provided by multiple private landowners, and Montana Department of Natural Resources & Conservation.

The following species may be hunted on this BMA with applicable licenses: elk, mule deer, white-tailed deer, antelope, black bear, wolf, and upland birds. This BMA provides access to adjacent public lands.

### PERMISSION REQUIREMENTS

**EVERY HUNTER IS REQUIRED TO REGISTER DAILY AT ONE OF THE SIGN-IN BOXES BEFORE BEGINNING TO HUNT ON THIS BMA.**

**EVERY HUNTER IS REQUIRED TO CARRY THE DAILY PERMISSION COUPON AT ALL TIMES WHILE HUNTING ON THIS BMA.**

### HOW TO GET THERE

From Interstate 90 at Phosphate Exit #170:

► Travel north on *Brock Creek Road* to access the Graveley Ranch portion of the BMA.

► Travel 1.5 miles southeast on the *Garrison Frontage Road* to *Warm Springs Creek Road* to access the NCP Bayou II portion of the BMA.

### RANCH ACCESS

Graveley Ranch: Hunting access is walk-in only from *Brock Creek Road* or from designated parking areas.

Warm Spring Creek Property: Hunting access is walk-in only from *Warm Springs Creek Road* or designated parking areas.

### ADDITIONAL RULES

1. Motorized vehicle travel on this BMA is only allowed on designated "Access Routes" or public roads shown on the accompanying map. Non-motorized hunting access is restricted to walk-in hunting only.  
Access by horse, pack stock, or bicycle is not allowed from Brock Creek or Warm Springs Creek without landowner permission.
2. Be prepared to retrieve game by non-motorized methods.
3. Do not park vehicles in such a manner as to obstruct traffic. **DO NOT BLOCK GATES.**
4. Camping is not allowed on private land in the Brock Creek or Warm Springs Creek portions of this BMA. Camping on DNRC Lands is allowed; consult the *DNRC "Guide to Recreational Use of Montana's State Trust Lands."*
5. Commercial outfitting is prohibited.
6. Recreational shooting is prohibited.
7. Fish & Wildlife Commission-approved hunting regulations apply. Hunters are required to possess the necessary hunting licenses associated with the species and hunting district they are hunting.



### **REGION 2 OFFICE**

3201 SPURGIN RD., MISSOULA, MT 59804  
PHONE: (406) 542-5500  
M – F, 8AM – 5PM (excluding holidays)

FAILURE TO ABIDE BY THESE RULES MAY RESULT IN  
EVICTION FROM THIS PROPERTY AND/OR A CITATION FOR  
FAILURE TO OBTAIN LANDOWNER PERMISSION FOR HUNTING.

**REPORT VIOLATIONS: 1-800-TIP-MONT**

2/26/2019/KM